POLICY NOTE

THE RETAINED EU LAW (REVOCATION AND REFORM) ACT 2023 (AGRICULTURAL PRODUCTS) (CONSEQUENTIAL AMENDMENT) (SCOTLAND) REGULATIONS 2025

SSI 2025/407

The above instrument is made in exercise of the powers conferred by sections 19(1) of the Retained EU Law (Revocation and Reform) Act 2023(**1**) and all other powers enabling them to do so. The instrument is subject to *Negative procedure.*

Purpose of the instrument.

The purpose of the instrument is to update the statute book so that references to "retained EU law" will now be corrected to "assimilated law".

Policy Objectives

This SSI amends the legislation listed below, specifically changing any reference to 'retained EU' to 'assimilated'.

- Council Regulation (EC) No 1234/2007,
    - Article 114(2) marketing standards for milk and milk products
    - Annex 15 marketing standards applying to spreadable fats referred to in Article 115
- The Eggs and Chicks (Scotland) (No. 2) Regulations 2008,
- The Poultrymeat (Scotland) Regulations 2011,
- The Beef and Pig Carcase Classification (Scotland) Regulations 2010.

The SSI does not have any effect on the policy objectives of these pieces of legislation as the changes being made are purely technical in nature. Similar changes have already been made in the Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendments) (Scotland) Regulations 2023 (S.S.I. 2023/374).

UN Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024 Compatibility

The Scottish Ministers have made the following statement regarding children's rights:

(**1**) 2023 c. 28.

In accordance with section 23(2) of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024, the Scottish Ministers certify that, in their view, **The Retained EU Law (Revocation and Reform) Act 2023 (Agricultural Products) (Consequential Amendment) (Scotland) Regulations 2025** is compatible with the UNCRC requirements as defined by section 1(2) of the Act.

Statement required by paragraph 16(2) and (3) of Part 1 of schedule 8 of the European Union (Withdrawal) Act 2018

The Minister for Agriculture and Connectivity has made the following statement under paragraph (2) and (3) of Part 1 of schedule 8 of the European Union (Withdrawal) Act 2018: This statement will set out why, in my view, there are good reasons for the amendment or revocation by this instrument of regulations made under section 2(2) of the European Communities Act 1972. It will also set out the law which is relevant to the amendments/revocation and the effect of the amendments/revocation on assimilated law.

The Retained EU Law (Revocation and Reform) Act 2023 (Agricultural Products) (Consequential Amendment) (Scotland) Regulations 2025 ("2025 Regulations") amend the following regulations which were made under section 2(2) of the European Communities Act 1972:

1) The Eggs and Chicks (Scotland) (No. 2) Regulations 2008,
2) The Poultrymeat (Scotland) Regulations 2011, and
3) The Beef and Pig Carcase Classification (Scotland) Regulations 2010.

The 2025 Regulations amend these three pieces of legislation by correcting references of "retained EU law" to "assimilated law". As such, the amendments are technical in nature, and so the policy and substance of each of these pieces of legislation will remain unchanged.

There are good reasons for amending references of "retained EU law" to "assimilated law" to ensure the devolved statute book is amended to reflect the updated terminology.

EU Alignment Consideration

These changes are not expected to impact any re-alignment obligations that may be agreed as part of any potential future UK-EU SPS/Veterinary Agreement.

Consultation

A targeted three week consultation was carried out on these technical changes which was sent to 10 specific organisations, with an interest in the regulations that are being amended by the SSI. We received responses from three of the organisations, all with no comment. Following the consultation being sent out, there were also follow up reminders sent.

Impact Assessments

Due to the changes to the legislation being of a purely technical nature and not having any impact on current policy or implementation methods, there was no Business and Regulatory Impact Assessment completed. A Children's Rights and Welfare Impact Assessment has been prepared and will be available at www.legislation.gov.uk.

Financial Effects

There is no financial cost to the Scottish Government, local government and no charge to businesses.

Scottish Government
Directorate – Agriculture and Rural Economy

December 2025